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ABSTRACT

Louisiana's sabbatical leave law for public school teachers and state college faculty is one of the most liberal in the nation. Teachers are granted the right to sabbatical leave for purposes of professional or cultural development, and for rest and recuperation. While on leave, they receive partial salary compensation. The state of Louisiana spends approximately $5 million annually on sabbatical salaries. However, state law does not presently require that teachers on sabbatical leave return to the school system that granted them leave. Statistics indicate that only slightly more than half (59 percent) of the teachers granted leave for professional improvement returned to their original schools, while only 51 percent of those on rest and recuperation leave returned. Thus, in many cases both students and the public fail to benefit from the teacher improvement that sabbatical leaves are intended to nurture. The Public Affairs Research Council recommends tightening the sabbatical leave law to require, for example, that persons on leave return for one year to the school system granting them leave, or be compelled to refund salary pay received during the sabbatical. A survey of leave policies and laws in other states is included. (DS)

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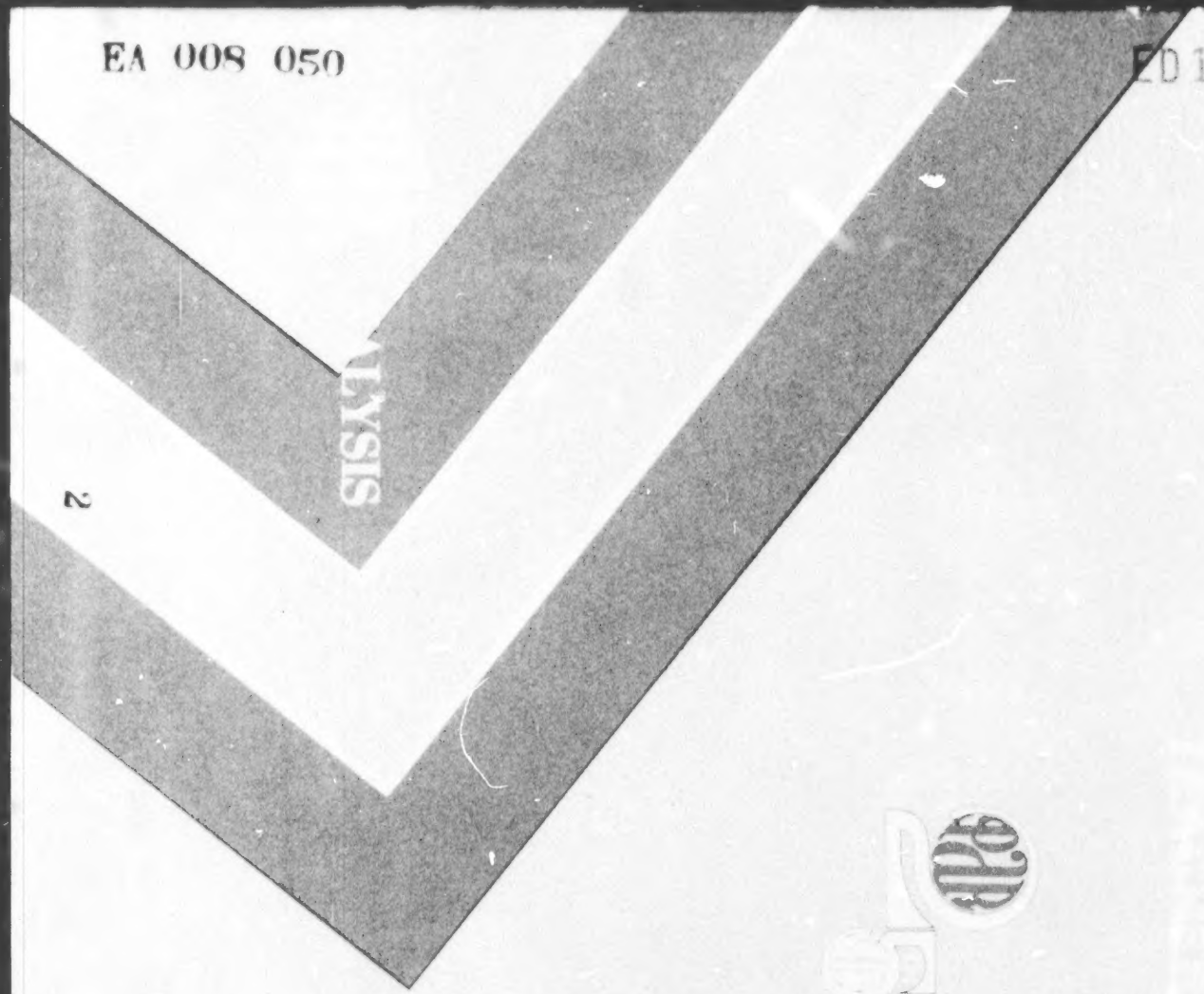

The Gist of It

Louisiana's sabbatical leave law for teachers is the most generous in the nation and provides little assurance that students receive the benefit of better teachers.

The percentage of teachers returning to their school systems after sabbatical leaves is deplorably low and possibilities for abuse are distressingly high.

PAR recommends that teachers be required to sign an agreement to either return to their school systems for a year of teaching after a sabbatical leave or refund pay received while on leave.

Such leaves should serve the dual purpose of improving the professional skills of teachers and also providing educational benefits to students as a result, but the latter purpose cannot be achieved unless the teachers return.

Under the state's sabbatical leave program, which now costs $5 million a year, teachers are granted leaves with partial pay for either professional or cultural improvement or rest and recuperation, and there is no requirement that they return to teaching.

A recent survey to which 56 of the state's 66 school systems responded indicated only 59% of teachers who received sabbatical leaves during a 5-year period from 1969-70 through 1973-74 returned to their respective school systems to teach; only 51% of those on leave for rest and recuperation returned.

Thus, in almost half of the cases, the taxpayers and students received no benefits from having better-prepared teachers as a result of sabbaticals.

No explanations are available as to why teachers failed to return after their sabbaticals, but some might have used them to prepare for better jobs elsewhere or for early retirement.

In addition to recommending that teachers be required to return to their school systems following sabbatical leaves, PAR also recommends that such leaves not be granted to those with less than six years of continuous service, and that such leaves not be granted for rest and recuperation.

Instead of rest and recuperation sabbaticals, the state and local school boards should jointly sponsor a group plan of disability insurance for teachers who have illnesses extending beyond their accumulated sick leave.

Presently teachers can use sabbatical leave for health purposes, retain their accumulated sick leave and also accumulate more sick leave while on sabbatical, which can then be used to increase retirement benefits and severance pay.

The following findings of a PAR survey of 23 states which have sabbatical leave laws for teachers indicates that Louisiana's is overall the most generous:

–Louisiana is one of only three states in which sabbatical leave is a mandatory right of teachers rather than a privilege which school boards may grant at their discretion.

–Louisiana's sabbatical leave law is more liberal than most in the number of years of teaching required before such leave can be granted; in Louisiana, a teacher is eligible for one semester of leave after only three years of service and for a two-semester leave after six years of service.

–Louisiana is one of only four states which permits sabbatical leave to be used for rest or recovery of health.

–Louisiana's level of pay during sabbatical is higher than most other states.

–Most of the state laws require that teachers return to service following a sabbatical, and several have penalties for failure to do so, but Louisiana's law is silent on this subject.

SABBATICAL LEAVE FOR TEACHERS

The concept of sabbatical leave originated with ancient Mosaic law which commanded Israelites every seventh (sabbatical) year to allow their fields and vineyards to rest and remain untilled, and to release all debtors and slaves. Hence, a sabbatical year was looked upon in early Biblical times as a period of rejuvenation.

At one time sabbatical leaves were the exclusive province of college professors, designed to allow time for rest, research or travel uninterrupted by teaching tasks. Sabbaticals have been emerging more recently as a fringe benefit also available to those in education at the elementary and secondary school levels.

Sabbaticals are but one type of extended leave frequently granted teachers. Others may also be granted, with or without pay, for such purposes as sick leave, military leave, maternity leave, exchange teaching, government or civic duty, and leave without pay for a variety of purposes, such as educational advancement or professional development.

Definition of Sabbatical Leave

At a National Education Association (NEA) meeting as far back as 1927, sabbatical leave for teachers was defined as "any definite plan whereby teachers may be granted leaves of absence covering a semester or more of the school year, for professional improvement, with some salary during such leave." The NEA is by far the largest teacher organization in the country, providing information and direction for teachers' rights and benefits.

The NEA has continued to limit its definition of sabbaticals to professional improvement, although it has broadened it to include professional persons other than teachers. In an article in the *NEA Research Bulletin* (March 1972), "Sabbatical Leave for Teachers As An Item of Negotiation," the NEA defined sabbaticals as "a leave of absence with full or partial pay for one semester or more for the purpose of improving the professional skills of teachers, administrators, or other personnel of the school system." The NEA article cited an example of a collective bargaining agreement on sabbatical leave which contained a provision that teachers must return for 2 years to the school system granting the leave or refund the amount of leave pay.

The NEA criteria for a sound system of sabbatical leave was stated in

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its 1967 report, *Leaves of Absence for Classroom Teachers, 1966-67*: "A sound system of sabbatical leave provides each teacher with the opportunity for professional improvement without depriving the pupil of his educational needs, and **assures the school system granting the leave of the benefits resulting from the teacher's professional improvement.**" [Emphasis added.]

Hence, according to the NEA definition and criteria, sabbatical leaves should benefit teachers by granting those eligible a paid leave of at least a semester to improve themselves professionally, provided leaves granted do not cause detriment to the school program. In return, the students should benefit from the professional improvement gained by teachers on sabbatical —a benefit possible only if teachers return to service.

Louisiana's laws on sabbatical leave meet the criteria of benefit to teachers but do not assure benefit to the school systems and the students.

LOUISIANA SABBATICAL LEAVE LAW AND PRACTICES

Louisiana first enacted a sabbatical leave law for teachers in 1940. The law has been amended on several occasions, but it remains basically the same.

Louisiana's law on sabbatical leave has meant that local school boards have no discretion as to whether they grant such leave or not, nor can boards formulate requirements under which such leaves will be granted that do not conform with the law. This was clearly stated in a 1946 attorney general's opinion: ". . . since the legislature has seen fit to enact express legislation so thoroughly covering the subject of leaves of absence to teachers, it has thereby impliedly withdrawn from parish and city school boards any general authority respecting such leaves . . . , and such boards now possess authority to grant leaves of absence to teachers only under the terms and conditions and in accordance with the provisions of the several acts relative to such leaves of absence. . . ."

The wording of Louisiana law has also meant that sabbatical leave is a mandated right rather than a privilege accorded teachers, provided other requirements of the law are met by applicants. This principle was established in a 1950 decision of the Louisiana First Circuit Court of Appeal (*Scoggins* v. *Vernon Parish School Board*, 44 So. 2d 385). In that case, the school board had refused to grant a teacher sabbatical leave even though the teacher had met all legal requirements. The board had not exceeded the legal number of leaves allowed since no teachers had been granted a sabbatical. The court ordered the school board to grant the sabbatical leave requested as a right of the teacher under the law.

Eligibility

There is some question as to whether only teachers are eligible under Louisiana's sabbatical leave law. The law limits eligibility to "members of the teaching staff," but does not define this term. The attorney general has ruled that local superintendents of education and persons employed under a temporary teaching certificate do not qualify, but it is not clear whether persons employed by a school board who do not teach exclusively are eligible.

A May 1975 attorney general's opinion stated that a supervisor of

school food services was ineligible unless he was also a teacher or took part in planning and/or teaching certain subjects at a school in addition to supervising food services. The opinion concluded that: "Each school board must determine if a person is a 'member of the teaching staff' based on the particular facts concerning the individual in question and based on the actual duties performed by the person." Presumably a principal who also teaches a class is eligible, but it is not clear whether other professional persons qualify.

Louisiana law sets no age limit on persons eligible for a sabbatical.

Length of Service Required

Louisiana law gives teachers an option as to length of service required to be eligible for a sabbatical. Persons with 12 or more consecutive semesters (6 years) are eligible for 2 semesters (1 year) of sabbatical leave, and those with 6 or more consecutive semesters (3 years) are eligible for 1 semester (a half year) of leave. Persons are eligible for several sabbatical leaves during their career provided they fulfill the years of service requirements each time they apply for a leave.

An opinion of the attorney general, dated November 18, 1975, states that local school boards have discretion as to whether sabbatical leave must commence and end with a semester, since there is no specific law on this question.

Louisiana law specifies that absence on sick or military leave does not interrupt the continuous service required to be eligible for a sabbatical leave. The attorney general ruled on January 8, 1976 and on several previous occasions that other types of leave, such as maternity leave, do interrupt the accrual of consecutive semesters. A January 9, 1976 attorney general's opinion stated that the continuous service in a school system required to be eligible for sabbatical leave is not interrupted if the teacher, for part of this time, was on "loan" to another school system.

Number Eligible

The law limits the number of persons who may be granted sabbatical leave to not more than 5% of the total number of teachers employed in a given parish, but it allows this maximum to be exceeded in cases of sick leave.

If requests of persons eligible for sabbatical leave exceed 5%, then the law instructs that preference be given those with the longest service in the school system immediately prior to the request. If 2 applicants rank equally on this basis, then preference is to be given to the applicant with the greater **total** service. If there is still equal rank, preference is to be given to the older applicant.

Purpose of Leave

Louisiana law specifies that sabbatical leave may be granted for (1) professional or cultural improvement or (2) rest and recuperation. Persons granted leave for professional or cultural improvement must earn at least 10 undergraduate or 6 graduate hours each semester at an accredited institution of higher education. If less than 15 weeks is spent in college study, the law provides that the period which is less than the required 15 weeks must be used for (1) independent study, research, authorship or investigation involving work equivalent to college

study or (2) planned travel of educational value. Presumably the entire period of leave could be spent for the enumerated purposes other than college study.

Applications for rest and recuperation must be accompanied by statements from two physicians certifying that the applicant's health justifies such leave. There is no requirement that the school board select one of the two doctors.

Compensation While on Leave

State law guarantees that teachers will receive partial pay while on sabbatical leave. Teachers may opt to receive (1) half the minimum salary paid a beginning bachelor-degree teacher or (2) the difference between their salary had they remained in service and the minimum period for the day-by-day rate paid by the board to a substitute teacher. (The actual salary paid the substitute teacher may not be used to compute the pay of the teacher on leave.)

The state minimum salary for a beginning teacher with a bachelor's degree and 2 days of in-service training is currently $7,230 a year. Salaries increase with experience and degrees. Those at the top of the state salary scale (doctorate with 12 years of experience) are paid $11,910. All but 7 of the 66 local school systems supplement the state minimum salary schedule with varying amounts.

Regular teachers are paid considerably more than substitute teachers are paid on a day-by-day basis. Local school boards determine pay of substitute teachers and use various methods—a flat amount per day, a higher rate for degree than nondegree persons, or a schedule based on level of education attained. Information on pay of substitute teachers was collected by the staff of the Governor's Education Study Committee in the spring of 1975. These data reveal that most systems pay substitutes a flat rate or a degree-teacher rate of about $20 on a day-by-day basis; the range is from $10 with no degree to $30 with a master's degree for systems paying according to the educational level. However, most systems pay substitutes who replace teachers on sabbatical leave according to the regular teacher pay scale rather than the day-by-day basis specified by law to determine compensation of teachers on sabbatical leave. The average salary of Louisiana teachers in 1974-75 was $9,450, or $52.50 per day based on a 180-day year.

Since actual salary less the cost of a substitute produces the highest pay, it is undoubtedly the method most frequently chosen by those on sabbatical.

Louisiana law also grants school boards authority to pay additional compensation to those on a sabbatical. An attorney general's opinion, dated December 31, 1975, stated that a school board may pay persons who fill a position requiring an extended year beyond 180 days a higher sabbatical leave pay than persons who work only a 180-day year, under the board's authority to establish and fix additional compensation for sabbatical leave.

Rights of Teachers on Sabbatical

Other rights of teachers are protected by law while they are on sabbatical leave:

1. Teachers cannot be denied regular salary increments while on leave. They are entitled to salary increases granted all public school teachers, and

the time spent on sabbatical is counted as experience for salary increments.

2. The period of sabbatical leave counts as active service for retirement purposes, and contributions toward retirement (employer and employee) continue on the basis of full salary.

3. Teachers must be returned at the beginning of the semester immediately following sabbatical leave to the same position at the same school from which leave was taken, unless otherwise agreed to by the teacher. State law would be superseded if there were a court order requiring redistribution of faculty among schools for desegregation purposes.

4. Teachers enjoy all the rights and privileges while on leave that they would have had if actively employed, such as tenure and accumulation of sick leave.

Obligations of Teachers on Sabbaticals

The only legal requirement for teachers on sabbatical leave for rest and recuperation is that they spend such time "in a manner calculated to attain that purpose."

Teachers granted sabbatical for professional or cultural improvement are required to submit 2 reports to the local superintendent. The initial report must be submitted within 30 days after the beginning of each semester, explaining in about 100 words how the leave is to be spent. Another written report of approximately 250 words is to be submitted within 30 days after the end of such leave indicating how time was spent. If those on leave go to college, the initial report must indicate the institution attended and credit hours being taken, and the final report is to give official evidence, such as a transcript.

The local superintendents have legal authority to cancel sabbatical leaves at any time if persons do not comply with the law, except where noncompliance is due to conditions which would have been sufficient grounds for failing to perform duties while in active service. A 1945 opinion of the attorney general held that if outside duties, such as employment, interfere with the purpose of a sabbatical leave, a school board has the authority to cancel the leave and restore the person to regular employment.

The law makes no provision that a teacher must return to service following a sabbatical leave. If teachers do return, they can choose whether they wish to return to the same school or not.

The attorney general's office was recently asked whether a teacher is entitled to sabbatical leave if she made known to the local school board that she was moving and did not intend to return to her teaching position at the conclusion of a sabbatical. The opinion, dated November 18, 1975, concluded that "a teacher is entitled to sabbatcal leave even though she has made it known that she does not intend to return to the same teaching position in the school that grants her the sabbatical leave **provided** she meets all the requirements and conditions set forth in the statutes cited above and **provided** she intends to remain teaching within the educational system of the State of Louisiana at the conclusion of her sabbatical leave." This opinion further states: "Though not expressed in our laws, it is our opinion that implicit in the con-

cept of sabbatical leave is the cultural and professional improvement of Louisiana teachers with the end result that this cultural advancement would in turn enhance the quality of education offered within our state educational systems." The opinion does not explain why this obligation is to the state but not to the school system which paid the full cost of sabbatical leave until recently and now pays part of the cost.

Whether the attorney general's opinion is correct or not, there still remains the matter of enforcement, for there are no legal penalties if those on leave fail to return to service.

Cost of Sabbatical Leave in Louisiana

The cost of paying for sabbatical leaves for public school teachers in Louisiana has increased by more than fivefold during the past 10 years—from $914,000 in fiscal 1964-65 to $4.9 million in fiscal 1974-75. (See Table 1.)

Local school systems bore the entire expense of sabbatical pay until fiscal 1974-75 when the state began sharing this cost. The rationale for state-sharing is that this is a legislatively "mandated cost" imposed by the state on local school boards. The state also began paying for 2 other state mandated programs in fiscal 1974-75 based on the same reasoning —pay for substitute teachers and accumulated sick leave severance pay. State law grants teachers 10 days a year for sick or emergency leave and grants teachers up to 25 days of accumulated sick leave upon retirement, or to their heirs if death is prior to retirement.

The state pays for sabbatical leave and the other "mandated cost" programs through its equalization formula for distributing state funds to

TABLE 1. Trend in Sabbatical Leave Costs

Fiscal Year	Amt. In Thousands	Fiscal Year	Amt. In Thousands
1964-65	$ 914	1970-71	$ 3,326
1965-66	1,143	1971-72	3,505
1966-67	1,324	1972-73	4,124
1967-68	1,664	1973-74	4,960
1968-69	1,715	1974-75*	4,922
1969-70	2,286		

* To be published.
SOURCE: Louisiana State Department of Education, *Annual Reports.*

TABLE 2. Number of Teachers On Sabbatical Leaves and State Cost

School System	Number of Teachers On Sabbatical Leave[a]		State Cost	
	1973-74	1974-75	1974-75 [b]	1975-76 [c]
Acadia	7.5	5.0	$ 13,706	$ 17,000
Allen	1.0	1.0	1,828	3,400
Ascension	8.5	7.0	15,534	23,800
Assumption	0.5	—	914	—
Avoyelles	0.5	1.0	914	3,400
Beauregard	9.5	6.0	17,361	20,400
Bienville	3.0	—	5,482	—
Bossier	12.5	17.0	22,844	57,800
Caddo	45.5	55.0	83,151	187,000
Calcasieu	35.0	38.5	63,962	130,900
Caldwell	—	1.0	—	3,400
Cameron	0.5	1.0	914	3,400
Catahoula	—	2.5	—	8,500
Claiborne	1.0	1.0	1,828	3,400
Concordia	1.0	2.5	1,828	8,500
DeSoto	—	4.0	—	13,600
East Baton Rouge	105.5	76.0	192,801	258,400
East Carroll	1.0	1.0	1,828	3,400
East Feliciana	1.5	0.5	2,741	1,700
Evangeline	4.0	1.5	7,310	5,100
Franklin	—	1.0	—	3,400
Grant	2.5	3.5	4,569	11,900
Iberia	10.0	11.0	18,275	37,400
Iberville	3.5	1.5	6,396	5,100
Jackson	3.0	1.0	5,482	3,400
Jefferson	97.5	95.5	178,181	324,700
Jefferson Davis	2.0	3.0	3,655	10,200
Lafayette	15.0	15.0	27,412	51,000
Lafourche	4.0	6.0	7,310	20,400
LaSalle	3.0	—	5,482	—
Lincoln	3.5	7.0	6,396	23,800
Livingston	15.0	5.5	27,412	18,700
Madison	1.0	—	1,828	—
Morehouse	6.0	7.5	10,965	25,500
Natchitoches	4.0	4.5	7,310	15,300
Orleans	132.5	162.5	242,144	552,500
Ouachita	11.0	8.0	20,102	27,200
Plaquemines	0.5	1.0	914	3,400
Pointe Coupee	2.5	3.5	4,569	11,900
Rapides	18.5	10.5	33,809	35,700
Red River	—	—	—	—
Richland	5.5	6.5	10,051	22,100
Sabine	—	—	—	—
St. Bernard	7.5	12.0	13,706	40,800
St. Charles	10.5	11.5	19,189	39,100
St. Helena	1.5	4.5	2,741	15,300
St. James	0.5	—	914	—
St. John	4.5	4.5	8,224	15,300
St. Landry	8.0	15.0	14,620	51,000
St. Martin	6.5	2.5	11,879	8,500
St. Mary	2.5	3.5	4,569	11,900
St. Tammany	8.0	9.0	14,620	30,600
Tangipahoa	18.5	21.5	33,809	73,100
Tensas	1.0	—	1,828	—
Terrebonne	8.0	5.0	14,620	17,000
Union	2.0	0.5	3,655	1,700
Vermilion	8.0	3.5	14,620	11,900
Vernon	—	2.0	—	6,800
Washington	2.0	2.5	3,655	8,500
Webster	8.0	2.0	14,620	6,800
West Baton Rouge	1.5	2.0	2,741	6,800
West Carroll	0.5	—	914	—
West Feliciana	—	2.5	—	8,500
Winn	2.0	3.0	3,655	10,200
City of Monroe	12.0	8.5	21,930	28,900
City of Bogalusa	4.5	1.0	8,224	3,400
TOTAL	596.0	692.0	$1,271,940	$2,352,800

a Full-time equivalent. A teacher on leave for one semester counts as 0.5.
b State paid $1,827.50 for each teacher on sabbatical leave the prior year, 1973-74.
c State paid $3,400 for each teacher on sabbatical leave the prior year, 1974-75.
SOURCE: Louisiana State Department of Education. Circular letter to local superintendents on state distribution of public school funds.

local schools; these state funds are approved by the Legislature each year in the general appropriations act.

In fiscal 1974-75, the state reimbursed local school systems a total of $1.3 million for sabbatical leave, based on $1,827.50 for each person on sabbatical leave the prior year. State cost of sabbatical leaves almost doubled in fiscal 1975-76, totaling $2.4 million, due to an increase in the amount of reimbursement per person to $3,400. The $3,400 per teacher on sabbatical leave represents the state's pro rata share (57%).

There were 696 full-time equivalent (FTE) persons on sabbatical leave in fiscal 1973-74 and 692 FTE persons in fiscal 1974-75. (A person on leave for 1 semester, or a half year, is considered a 0.5 FTE person on sabbatical.) The number of FTE persons on sabbatical leave represented 1.7% of the 40,733 classroom teachers in fiscal 1973-74 and 1.7% of the 41,473 classroom teachers in fiscal 1974-75.

The number on leave in 1974-75 varied among school systems from none in 9 systems to 162.5 FTE persons in Orleans. Table 2 shows the number on leave and the cost to state government, by school system.

The state as well as local cost of sabbatical leave, by school system, is shown in Table 3. Costs of sabbatical leaves seem likely to increase in the future, due partly to increases in teachers' salaries.

Use of Sabbaticals

As already noted, state law allows sabbatical leave to be used for (1) professional or cultural improvement or (2) rest and recuperation. Teachers have a right to such leave but have no legal obligation to return to service.

In 1975, the staff of the Governor's Education Study Committee gathered data from local school systems regarding the purposes for which sabbatical

TABLE 3. Compensation Paid Teachers On Sabbatical Leave, By School System

School System	1973-74	1974-75
Acadia	$ 40,969	$ 27,732
Allen	7,292	6,819
Ascension	102,183	60,396
Assumption	1,873	—
Avoyelles	—	—
Beauregard	60,137	39,160
Bienville	20,660	—
Bossier	98,533	125,730
Caddo	273,386	402,314
Calcasieu	189,853	251,083
Caldwell	—	11,255
Cameron	2,779	2,512
Catahoula	—	18,385
Claiborne	4,726	6,235
Concordia	2,192	12,386
DeSoto	—	6,840
East Baton Rouge	712,715	572,607
East Carroll	5,962	8,786
East Feliciana	8,359	30,818
Evangeline	16,684	4,237
Franklin	—	5,735
Grant	18,674	18,630
Iberia	56,945	94,526
Iberville	23,986	12,019
Jackson	17,316	8,029
Jefferson	904,300	842,877
Jefferson Davis	7,033	14,519
Lafayette	80,531	101,214
Lafourche	29,289	29,813
LaSalle	19,437	—
Lincoln	25,367	11,864
Livingston	109,451	69,796
Madison	3,480	—
Morehouse	57,064	57,339
Natchitoches	29,507	26,186
Orleans	959,346	1,019,943
Ouachita	88,846	62,887
Plaquemines	1,567	3,318
Pointe Coupee	21,935	42,773
Rapides	126,320	85,628
Red River	—	—
Richland	41,199	52,095
Sabine	—	—
St. Bernard	70,137	19,552
St. Charles	71,430	72,292
St. Helena	15,325	38,863
St. James	2,933	—
St. John	—	28,533
St. Landry	52,897	115,027
St. Martin	42,250	16,673
St. Mary	10,966	34,821
St. Tammany	44,845	55,944
Tangipahoa	180,887	154,227
Tensas	6,000	5,282
Terrebonne	28,220	17,722
Union	11,713	2,967
Vermilion	46,724	26,005
Vernon	—	14,477
Washington	9,959	15,992
Webster	56,343	16,576
West Baton Rouge	5,288	14,495
West Carroll	3,150	—
West Feliciana	—	17,422
Winn	14,309	19,086
City of Monroe	84,720	84,315
City of Bogalusa	32,346	5,002
TOTAL	$4,960,340	$4,921,758

SOURCE: Louisiana State Department of Education, *Annual Report* 1973-74 and 1974-75 (unpublished).

TABLE 4. Purpose of Teacher Sabbatical Leaves Granted and Rate of Return, 1969-70 Through 1973-74

School System	Number of Sabbatical Leaves Granted, 1969-70 through 1973-74			Percent Returned	
	Total	Professional or Cultural	Rest and Recuperation	Professional or Cultural	Rest and Recuperation
Acadia	29	18	11	83%	45%
Allen	13	6	7	100	0
Ascension	25	12	13	92	54
Assumption	NR	—	—	—	—
Avoyelles	13	6	7	67	43
Beauregard	38	23	15	74	20
Bienville	8	3	5	33	80
Bossier	56	40	16	98	88
Caddo	297	221	76	70	80
Calcasieu	185	112	73	88	49
Caldwell	4	2	2	NR	NR
Cameron	11	5	6	40	83
Catahoula	3	1	2	100	100
Claiborne	13	4	9	100	67
Concordia	17	10	7	70	14
DeSoto	14	5	9	60	78
East Baton Rouge	324	196	128	90	52
East Carroll	7	4	3	50	0
East Feliciana	5	2	3	50	67
Evangeline	NR	—	—	—	—
Franklin	NR	—	—	—	—
Grant	14	3	11	100	45
Iberia	28	15	13	87	92
Iberville	19	9	10	78	80
Jackson	3	0	3	NR	NR
Jefferson	NR	—	—	—	—
Jefferson Davis	20	14	6	64	0
Lafayette	NR	—	—	—	—
Lafourche	25	20	5	20	20
LaSalle	16	9	7	89	71
Lincoln	12	8	4	100	100
Livingston	45	10	35	100	57
Madison	NR	—	—	—	—
Morehouse	42	19	23	79	52
Natchitoches	39	15	24	87	75
Orleans	675	450	225	31	31
Ouachita	37	19	18	95	56
Plaquemines	NR	—	—	—	—
Pointe Coupee	19	7	12	100	50
Rapides	89	54	35	78	43
Red River	1	0	1	—	0
Richland	21	9	12	78	67
Sabine	1	0	1	—	0
St. Bernard	NR	—	—	—	—
St. Charles	36	26	10	58	30
St. Helena	20	4	16	100	100
St. James	6	6	0	83	—
St. John	2	2	0	50	—
St. Landry	29	8	21	50	62
St. Martin	18	10	8	50	38
St. Mary	20	14	6	57	50
St. Tammany	41	31	10	81	40
Tangipahoa	NR	—	—	—	—
Tensas	NR	—	—	—	—
Terrebonne	35	19	16	79	69
Union	7	2	5	100	40
Vermilion	26	4	22	100	64
Vernon	9	6	3	100	NR
Washington	15	6	9	67	67
Webster	36	31	5	61	80
West Baton Rouge	8	3	5	33	20
West Carroll	2	1	1	100	100
West Feliciana	4	2	2	100	50
Winn	15	3	12	33	25
City of Monroe	40	19	21	68	48
City of Bogalusa	55	24	31	88	74
TOTAL	2,592	1,552	1,040	65%	51%

NR—No Response.

SOURCE: Staff of Governor's Education Study Committee. Questionnaires to local school superintendents. Unpublished.

leaves were granted during the past 5 years and the number granted such leave who returned to their school systems at some time following their leave. This information is presented in Table 4. Ten of the 66 school systems did not provide data, including several of the larger systems—Jefferson, Lafayette and St. Bernard. Nevertheless, the information obtained offers some insight into how sabbatical leaves have been used in Louisiana.

Among the 56 responding school systems, 2,592 sabbatical leaves were granted during the 5-year period, 1969-70 through 1973-74. Of these, 1,552 (60%) were for professional or cultural improvement of teachers and 1,040 (40%) were for rest and recuperation.

The 56 school systems reported that 1,537 persons (59%) granted sabbatical leave returned to their respective systems at some time during the reporting period. The rate of return for those seeking professional and cultural improvement was 65%—somewhat better than the overall average. Only 51% of those on leave for rest and recuperation returned. (See Table 4.)

The rate of return for those on leave for professional or cultural improvement varied considerably among individual school systems. For example, in 13 school systems all teachers on leave for professional or cultural improvement returned, but these were small systems with few persons on leave. Lafourche had the lowest rate of return, 20%, while Orleans was next lowest with 31% returning.

There was a 100% return from sabbaticals granted for rest and recuperation in 4 school systems, and 5 systems had no one return. All 9 of these were small systems which granted few rest and recuperation leaves.

No explanations are available as to why teachers failed to return to their school systems after the termination of their sabbaticals. One possibility is that some on professional and cultural leave used their advanced degrees or greater knowledge to obtain a better job in another state or parish, or perhaps to teach in college or assume an administrative position elsewhere. It is legally possible for those on sabbatical to begin a new job and still receive sabbatical pay, so long as they fulfill requirements of the law. For example, persons could be fully employed and not suffer undue hardship by taking the required 6 graduate hours. They could also continue on their new job at the termination of leave.

Some on leave for rest and recuperation may not have returned because their health would not allow it. Others might have considered sabbatical leave as a type of paid vacation or bonus prior to retirement. It is possible for persons nearing retirement age to spend their last year of teaching time on sabbatical leave, for there are no age restrictions on eligibility for a sabbatical, nor are retirement benefits affected by taking such leave. Retirement contributions by both employer and employee continue to be made on the full salary of teachers on sabbatical, even though teachers receive only partial pay during such leave.

Related Benefits

Teachers can retire at an early age, whether or not they use sabbatical leave to speed up their retirement. Louisiana law provides that after 20 years' service, teachers can retire at any age, with their retirement pay

calculated at 2% of average salary for any 3 consecutive highest years (plus $300), multiplied by the number of years of service (including unused accumulated sick leave). Thus, if persons start teaching at age 21, they can retire at age 41 and receive 40% of salary, or 42% of salary if they accumulated 180 days of sick leave. Teacher retirement benefits are calculated on a 2.5% basis with 25 years of service at age 55, or with 30 years of service at any age. Those who became a teacher at age 21 can retire at age 51 and receive 75% of their salary; or if they continue to teach for 40 years, they can retire at age 61 with 100% of salary based on the 3 highest years.

Since teachers can use sabbatical leave for health purposes, they have a better opportunity to accumulate sick leave applicable toward early retirement and severance sick leave pay. The 10 days of sick leave granted teachers annually can accumulate without limitation, and be added to retirement benefits, although only 25 days of sick leave can be paid as severance at the time of retirement or death prior to retirement. Persons can use sabbatical leave for health purposes and accumulate sick leave while on sabbatical.

SABBATICAL LEAVE POLICIES AT STATE COLLEGES AND UNIVERSITIES

Louisiana's sabbatical leave policies for college personnel differ in several important aspects from those for public school teachers.

Louisiana has no state law regarding sabbatical leave at the college and university level, nor are there uniform policies applicable to all campuses. Rather, sabbatical leave policies and practices are left to the discretion of the management boards for higher education and to administrative officials of the institutions. The management boards are the LSU Board of Supervisors, the Southern University Board of Supervisors, and the Board of Trustees for State Colleges and Universities.

To determine policies on sabbatical leave in higher education, PAR sent questionnaires to all of Louisiana's public colleges and universities, and replies were received from all institutions.

Eligibility

There is a basic philosophical difference between the granting of sabbatical leave to college and university faculty and to public school teachers, even though sabbatical leaves have a longer tradition at the collegiate level. Unlike teachers, the granting of sabbatical leave to college faculty in Louisiana is discretionary rather than obligatory.

LSU policy states that "Sabbatical leave requests will be disapproved or rescinded when financial or other considerations make such action appropriate." The policies of institutions under the Southern University board and the Board of Trustees for State Colleges and Universities are similar. These policies state that college faculty members **may** be eligible for sabbatical leave, not **shall** (or required to) be eligible.

Institutions were asked to indicate those factors which are considered in approving sabbaticals. Factors most frequently mentioned were (1) the applicant's intended program of study, (2) the potential value of the leave to the institution, (3) the quality of ser-

vice by the applicant and (4) distribution of approved leaves among the institution's colleges, schools and/or departments. A few institutions also cited seniority and age of the applicant among deciding factors.

At most institutions, sabbatical leave is a prerogative of full-time academic faculty members. Four institutions, however, replied that sabbaticals were available to all professional employees, and one stated that such leave was available only to those with professorial rank.

All institutions except Southern University in New Orleans set age limits on those who may apply. LSU applicants cannot have attained the age of 65. Policy of the other institutions limit eligibility to persons under 55 years unless the college president, with board approval, waives this for sufficient reason.

Length of Service Required

LSU policy requires that persons have 6 years of service, which need not be continuous, to be eligible for a sabbatical. Those employed on a 12-month basis may be granted a 6- or 12-month leave, depending on whether they receive full or half pay, while those employed on a 9-month basis may be granted 1 or 2 semesters, also depending upon full or half pay.

The length of service required at the other colleges and universities parallels state law for public school teachers, i.e., persons must have 6 years of continuous service for a 2-semester leave, or 3 years for a 1-semester leave. Absences for sick leave do not interrupt the continuous service required, but unlike teachers, no such allowance is made for military leave.

Number Eligible

No limit is placed on the number of persons eligible for sabbatical by LSU or Southern. Policy of the Board of Trustees of State Colleges and Universities limits the number to 5% of teachers employed during a regular semester, or 10% during a summer session. However, the deciding factor among all campuses is availability of funds.

Purpose of Leave

Campuses differ considerably as to the purposes for which sabbatical leave will be granted and the status or rank of faculty eligible.

LSU limits sabbatical leave to research and independent study, and outside employment is prohibited unless the chancellor gives advance approval.

The policy at Southern in Baton Rouge limits sabbaticals used for research to persons completing a degree, and only those with a doctorate are eligible for independent study. It grants leaves for rest and recuperation only if there is sufficient accumulation of sick leave. Sabbaticals at Southern in New Orleans are restricted to those working toward a doctorate.

Policies of the Board of Trustees allow persons without a doctorate to be eligible for a sabbatical for professional or cultural improvement or for rest and recuperation. Those with a doctorate are also eligible for independent study or research leave, provided outside compensation is not received. As is true for teachers, applications for rest and recuperation must be accompanied by statements from two doctors.

Compensation While on Leave

LSU allows half pay for a year's leave, or full pay for a half year. Policies of Southern University and the Board of Trustees provide 75% of salary for the preceding year.

Rights of Faculty on Leave

All institutions reported that certain individual rights are protected while on sabbatical, as is true for teachers. These include sharing in salary increases granted all faculty, credit of leave time toward retirement and assurance of former position upon return.

Obligations of Faculty

All institutions require reports, transcripts (where applicable) or evidence of work accomplished while persons are on sabbatical.

All institutions also have policies that persons granted leave are expected to return to service for at least a year, but there are few penalties and apparently little enforcement. LSU's policy contains no penalties. Policies of the Board of Trustees of State Colleges and Universities make return a "moral obligation," but penalties are imposed if a person fails to comply with **any** provisions for sabbatical leave. These penalties are forfeiture of tenure and eligibility for salary increases or promotion in rank until requirements are met. Officials at Southern University campuses reported that persons failing to return are expected to refund their pay while on leave.

Number Granted Sabbatical and Cost

Some of Louisiana's public colleges and universities grant faculty members a sabbatical leave while others do not. Data on the number of sabbatical leaves granted college personnel was obtained from the State Budget Office which collected this information for the first time in the 1976-77 budget requests. (See Table 5.)

In fiscal 1974-75, there were 135 persons granted sabbatical leave on a full or partial basis, i.e., leave for either the full year or only a portion, and at full or partial pay. The total number of faculty at the 19 public campuses was 6,044. Hence, 2.2% of college faculty received a sabbatical leave in fiscal 1974-75. Five institutions granted no sabbatical leaves: LSU at Eunice, LSU Medical School at Shreveport, Southern University at Shreveport, Northeast University and Northwestern University. Compensation paid those on sabbatical leave totaled $858,880.

For the current 1975-76 fiscal year, there are 144 persons (2.2%) on full or partial sabbatical leave out of a total college faculty of 6,355. Six out of the 19 campuses granted no sabbatical leave, including LSU at Alexandria which had granted a leave the prior year. Total cost of college sabbatical leave is budgeted at $1.1 million for fiscal 1975-76.

In response to PAR's inquiry, Northwestern University reported that it had granted no sabbatical leaves with pay since fiscal 1969-70 due to "budgetary factors."

TEACHER SABBATICAL LAWS AMONG STATES

Teachers may be granted sabbatical leave, whether or not their state has a law on the subject. Policies and practices of local school boards govern if a state lacks a law, and sabbaticals are now becoming an item of

TABLE 5. Sabbatical Leaves Granted[a] Louisiana College Faculty, Fiscal 1974-75 and 1975-76

Institution	Fiscal 1974-75 (Actual)			Fiscal 1975-76 (Budgeted)		
		Sabbatical Leaves Granted			Sabbatical Leaves Granted	
	Total Number of Faculty	Number[b]	Amount Paid	Total Number of Faculty	Number[b]	Amount Paid
LSU:						
Alexandria	62	1	$ 5,621	65	0	$ —
Baton Rouge	1,334.7	46	400,542	1,253.3	54	530,823
Eunice	37.4	0	—	39.4	0	—
New Orleans	647	18	147,078	676	18	167,004
Shreveport	105	10	33,768	112	2	5,086
Medical Center:						
New Orleans	329.7	2	23,023	399.7	3	53,999
Shreveport	84.4	0	—	92	0	—
Southern:						
Baton Rouge	439	2	15,595	454	3	29,912
New Orleans	101	1	10,016	101	3	17,855
Shreveport	46	0	—	55	0	—
Board of Trustees:						
Delgado	122	1	7,018	147	6	36,947
Grambling	227	3	23,719	230	3	24,218
Louisiana Tech	470	6	17,842	474	8	23,452
McNeese	315.5	10	49,576	321.5	8	46,660
Nicholls	212	4	39,541	239	6	43,933
Northeast	326.3	0	—	343.4	0	—
Northwestern	365	0	—	391	0	—
Southeastern	279	16	38,173	302	9	41,505
USL	641	15	47,368	660	21	37,022
TOTAL	6,044.0	135	$858,880	6,355.3	144	$1,058,416

a Includes *paid* sabbatical leave only.
b Includes persons on full or partial sabbatical leave.
SOURCE: State Budget Office. Detailed budget requests for fiscal 1976-77.

negotiation where there are collective bargaining agreements. A state law can serve to clarify the power and parameters of local school boards to grant sabbaticals.

Pennsylvania is said to be the first state to enact a specific law on sabbatical leave for teachers. The Pennsylvania law was first enacted in 1937, and Louisiana followed in 1940.

PAR wrote the state superintendents of education in the other 49 states to determine if they have a law on sabbatical leave for public school teachers and if they do, the provisions of such law. Responses indicate that 23 states, including Louisiana, have enacted teacher sabbatical leave laws. The Kentucky law was ruled unconstitutional in 1975 by that state's attorney general as violating a constitutional prohibition against paying a salary for services not actually rendered.

There is considerable variation in provisions of the 23 state laws on sabbatical leave for teachers. Laws of 5 states (Missouri, Nebraska, Nevada, Oregon and Washington) are quite broad, merely authorizing local school boards to grant sabbatical or various types of leave or benefits according to rules and regulations established by local boards. In fact, some state laws do not specifically mention sabbatical leave for teachers. The Nebraska law applies only to 2 school districts, not statewide.

In contrast, laws of some other states are quite explicit and detailed,

TABLE 6. State Laws on Sabbatical Leave for Teachers

State	Permissive or Required	Number Eligible	Years Experience For Eligibility	Maximum Leave (Years)	Purpose	Rate of Leave Pay	Credit For Retirement	Position On Return	Requirement To Return
Alaska	Required	0.5% of total teachers for borough, city and state, no maximum for others	7	1	Education	1/2 base [i]	Yes	Same	Return 1 year or refund pay
Arizona	Permissive	NS	7	1	Professional education	1/2	Yes	NS	Return 1 year or refund pay [m]
California	Permissive	NS	7	1	Study or travel	Salary less substitute cost or 1/2 up to full salary	NS	NS	Written agreement to serve twice period of leave. Indemnity bond for default. Pay reduced in proportion to time not served.
Delaware	Permissive	Local option	7 [f]	1	Professional improvement or recovery of health	Difference between salary and state minimum up to $2,000 year [j]	Yes	Same or similar	Return 1 year or forfeit salary increments and pension credit for period of leave
Florida	Permissive	NS	3	1	Professional development	Partial pay	NS	NS	NS
Hawaii	Permissive	NS	7	1	One-half time must be for professional education or research	1/2	NS	Same or equivalent	Return 2 years or refund pay [n]
Illinois	Permissive	NS	6	1	Study, research, travel or other educational purpose	Full pay less substitute cost; not less than state minimum or 1/2 base pay	Yes	Equivalent	Return 1 year or refund pay; cause for removal from teaching service if entire effort not devoted to purpose
Indiana	Permissive	NS	NS	1	Study, professional improvement, work experience or travel	Determined locally [k]	NS	NS	Return for period equal to length of leave; contract required
Kentucky [a]	Permissive	NS	NS	2	Educational or professional	NS	NS	Same	NS
Louisiana	Required	5% of teachers employed	6 for 1 year 3 for 1/2 year	1/2 or 1	Professional or cultural improvement, rest or recuperation	1/2 pay of beginning BA teacher or pay less substitute cost	Yes	Same unless otherwise agreed by teacher	NS

Maine	Permissive	NS	7	1	Study or travel	1/2	Yes	NS	NS
Michigan	Permissive	NS	7	1	Professional improvement	Determined locally	Yes	Same or like	NS
Minnesota	Permissive	NS	NS	NS	Professional improvement	NS	Yes [l]	NS	Return for period set by board or refund pay
Missouri	Permissive	NS	NS	NS [g]	NS	NS	NS	Same or like	NS
Nebraska [b]	Permissive	NS	NS	NS	NS	NS	NS	NS	NS
Nevada [c]	Permissive	NS	NS	NS	NS	NS	NS	NS	NS
New Mexico	Permissive	NS	6	1	Study or travel directly benefiting instructional program	1/2 for year preceding leave	Yes	Equivalent or better	Return 2 years or refund pay [o]
Ohio	Permissive	5% of professional staff	5	1	Professional growth	Partial but not more than pay less substitute cost	NS	NS	May be required to return 1 year [p]
Oregon	Permissive	NS	NS	NS	NS	NS	NS	NS	NS
Pennsylvania	Required	10% of number eligible	10 [f]	1 [h]	Health, study or travel	1/2	Yes	Same	Return 1 year or forfeit benefits during leave [q]
Tennessee [d]	Permissive	NS	Certified teachers	NS	Educational improvement or health [d]	NS	Yes	Same	Statement of intent to return
Texas	Permissive	Local option	5	1	Study, research, travel or other suitable purpose	1/2 for year; full pay for 1/2 year	Yes	NS	NS
Washington [e]	Permissive	NS	NS	NS	NS	NS	NS	NS	NS

NS—Not specified in law.

a General law which includes granting leave "for educational or professional purpose." A 1975 attorney general's opinion held granting a *paid* sabbatical leave violates constitutional prohibition of paying a salary for services not actually rendered. The opinion held such leaves might be constitutional if condition of employment is applicable to all teachers, as is the case of college faculty.

b Nebraska law applies only to Lincoln and Omaha school districts.

c Local boards authorized to grant teachers various types of leave, subject to their rules and regulations.

d General law allowing leaves for various purposes. Sabbatical leave is not mentioned, but the law is broad enough to allow at discretion of local boards.

e General law authorizing local boards to grant various types of leave, including sabbatical, at their discretion.

f At least 5 of the 7 must be consecutive years employed by board granting leave unless board shortens time.

g Applies to various types of leave and part-time teaching, subject to renewal from year to year.

h Additional year may be granted for illness.

i One-half base pay if state supported. Determined locally if at district expense.

j Full-time gainful employment prohibited unless board agreement.

k If teacher works for an employer who agrees to reimburse board for teacher's salary, full compensation may be granted.

l Not specified but law provides teacher retains all rights as though teaching in district.

m If repayment is not made, the law requires the board to direct the county attorney to institute suit for collection.

n Teacher must also pay cost of enforcement. Failure to comply also entails cancellation of teaching certificate.

o Authorizes withholding of salary due while on leave until after reemployment commences or furnishing of security that employee will return for 2 years or refund pay.

p Not applicable if teacher has 25 years of teaching service.

q Forfeit includes retirement contribution unless waived.

SOURCE: PAR survey of state laws.

such as those of Alaska, Louisiana and Pennsylvania. The laws of the other 18 states vary in scope, but may specify such items as the number of leaves a school system may grant, eligibility requirements, length of leave allowed, level of pay while on sabbatical leave, conditions to be met by the teachers during and after completion of the leave, and protection of teachers' rights. Table 6 indicates certain provisions of the 23 state laws on sabbatical leave for teachers.

Permissive or Required

One of the most important aspects of a state law is whether sabbatical leave is a right or a privilege accorded teachers. Louisiana's law is 1 of only 3 states (Alaska and Pennsylvania are the other states) which make sabbatical leave mandatory for teachers. Laws of other states authorize school boards to grant sabbaticals, at their discretion, rather than require them to do so.

Number Eligible

Only four of the 23 state laws set a ceiling on the number of sabbatical leaves that may be granted during a year or at one time. The Louisiana and Ohio laws specify a maximum of 5% of the teaching staff, although Louisiana's limit may be exceeded due to sick leave. The Pennsylvania law requires that sabbaticals of at least 10% of those eligible for such leave be granted. Alaska places a limit of one half of 1% of the number of teachers, but in certain types of districts only.

Years Experience for Eligibility

Laws of 14 states specify the number of years of prior service required for teachers to be eligible for sabbatical. One state requires 10 years of service; 7 states require 7 years; 3 states (including Louisiana) require 6 years; 2 states require 5 years; and 1 state requires 3 years. In Louisiana, a teacher is also eligible after 3 years of service, but for 1 semester of leave only.

Most state laws (including Louisiana) require continuous service in the school district granting the leave, but in Delaware and Pennsylvania part of the required service may be elsewhere.

Maximum Length of Leave

Louisiana is 1 of 15 states whose laws allow a 1-year sabbatical; Kentucky authorizes a 2-year leave.

Purpose of Sabbatical

Sabbatical leave for teachers is most frequently authorized for educational and/or professional development. Louisiana is 1 of 4 states which have laws specifying that sabbatical leave may also be used for rest or recovery of health.

Rate of Leave Pay

Laws of 12 states set the rate of pay during a sabbatical. Most of these states provide for half pay (sometimes half the base pay), although Texas allows full pay if the leave is for only a half year. Louisiana's level—full pay less cost of a substitute—is higher than allowed in most other states which have laws on this subject. Laws of California, Illinois and Ohio also provide for salary less cost of a substitute, but in Ohio this is the maximum allowed rather than the salary to be paid. The Delaware law also sets a maximum pay level.

Credit for Retirement

Louisiana is 1 of 12 states with laws specifying that retirement benefits continue during sabbatical leave.

Position on Return

Eleven states, including Louisiana, have laws that teachers return to the same or similar position. Louisiana law provides that a teacher can return to the same position in the same school, unless the teacher agrees otherwise. The Pennsylvania law requires that a teacher return to the same position in the same school, but it is the school board that has authority to waive this requirement.

Requirement to Return to Service

Laws of 12 states provide that teachers return to service following a sabbatical. Louisiana's law, although specific in a number of other areas, is silent on this subject, but the attorney general has stated that teachers should return to service somewhere in the state.

Five states require that a teacher return for 1 year of service following a sabbatical leave, and another state authorizes school boards to require a 1-year return. Two states require teachers to return for 2 years of service. One state requires that teachers return for the length of the leave, and another requires that teachers return for twice the period of leave. Two states specify that a teacher return or sign an agreement to return, but neither law specifies the period of return service required.

The penalty in 6 states for failure to return is that pay received during leave be refunded. Alaska's law directs the local boards to have the county attorney sue for collection, while in Hawaii teachers must not only refund their salary but also pay cost of enforcement. The penalty for failure to return in Delaware is forfeiture of salary increments and pension credit for the period of the leave. Pennsylvania also provides for forfeit of benefits, including retirement credit. New Mexico law authorizes withholding of salary due while on leave until reemployment begins or furnish security. California law authorizes posting a bond by teachers in the event of default on an agreement to return or refund pay. Failure to return is cause for cancellation of a teaching certificate in Hawaii. In Illinois, teachers may be removed from the teaching service if they do not devote the entire leave period to the purpose of the leave, unless illnes or incapacity prevents this.

Whether there is a legal penalty or not, suit could be brought against teachers on sabbatical leave failing to return if required to do so by law or agreement with the employing school board. A 1972 NEA article points out that: "In the past two years teachers in Maryland and New York have been sued for failure to refund the salary received." Neither Maryland nor New York has laws on sabbatical leave, but school boards evidently require agreements or contracts to return or refund pay. A New York court decided in 1969 that a school board can recover salary paid to a teacher during sabbatical leave when the teacher fails to live up to an agreement either to return to service in the school system for a full year after expiration of leave, or return the salary received while on leave (*Central School District No. 2 of Town of Oyster Bay, Nassau County* v. *Cohen*, 302 NYS 2d 398).

COMMENTS AND RECOMMENDATIONS

Louisiana has a 35-year history of granting sabbatical leave to teachers under state law. Teachers are guaranteed the right to a sabbatical leave and their other rights are also protected while on leave. The state has recently started to finance a substantial part of the cost of sabbaticals, thus assuring school boards of money for this purpose. On the other hand, taxpayers have few safeguards that they and their children will receive some benefit from this expenditure now costing about $5 million a year.

The teachers' rate of return from sabbatical leave to their school systems is deplorably low in Louisiana—only 59% during the past 5 years—while possibilities for abuse are distressingly high.

Of the 23 states with laws providing sabbatical leave for teachers, Louisiana's law appears to be the most generous. Laws of only 2 other states (Alaska and Pennsylvania) guarantee teachers an entitlement to sabbatical leave. All of the other 20 states with laws on this subject regard sabbatical leave as a privilege which school boards may grant at their discretion.

While Alaska and Pennsylvania laws also make sabbatical leave a right of teachers, other provisions of their laws are more stringent toward teachers than is true in Louisiana. Both Alaska and Pennsylvania require a longer period of service for eligibility and Alaska limits such leave to education purposes only. Both states provide pay while on leave proportionately lower than in Louisiana, and both states require that a teacher render return service or be penalized.

Louisiana's policies on sabbatical leave for elementary and secondary teachers are also more favorable than for faculty at the state's public colleges and universities, although the pay level during sabbatical may be greater at some institutions of higher education.

College personnel have no assurance that they will be granted a sabbatical; such determination depends on the availability of funds. Six institutions out of 19 granted no sabbatical leaves this year. The purposes for which Louisiana colleges and universities grant sabbatical leave are generally more limited than for teachers, and some institutions place restrictions on the category of faculty (doctorate or professor in some instances) who are eligible. All campuses have policies that faculty on sabbatical leave must return for a year of service, but this is not generally enforced.

Sabbatical leave is a benefit usually available only to those in education. Such leave can and should benefit both the individual on leave as well as students and the public — but there is little assurance under Louisiana's present law and practices that the goal of student and public benefit is achieved.

Recommendations

The following recommendations, if implemented, should insure that sabbatical leaves in Louisiana are used properly and that the educational system, as well as the educator, benefits.

1. **Louisiana law should be clarified as to whether persons other than those who teach fulltime in a classroom are eligible for sabbatical leave.**

The law should be amended to stipulate that all professional personnel

involved in teaching whose job requires a permanent teaching certificate are eligible for sabbatical leave.

2. **Persons granted a sabbatical leave should be required to return for 1 year of service in the school system granting the leave or refund pay received while on such leave.** Exceptions should be allowed for extenuating circumstances which cause inability to return, such as illness.

In order to enforce such a stipulation, the following should be required.

- All persons granted sabbatical leave should sign an agreement or contract with their school board that they will return at the termination of sabbatical leave for at least 1 year of service. Legal proceedings could thus be instituted if a person failed to abide by the agreement. Cost of collection should be borne by such persons breaking the agreement.
- To insure further compliance, the state should revoke the certificate of teachers failing to honor their agreements until they do comply.

3. **The length of service required for eligibility for sabbatical leave should be set at 6 years only.**

Present law allows persons with 6 years of continuous service in a school system to become eligible for 2 semesters of sabbatical leave, and those with 3 years of continuous service to be eligible for a 1-semester leave. The 3-year eligibility should be repealed, and the law should be changed to allow those with 6 years of continuous service to have the option of full pay for a 1-semester leave, or 2 semesters at partial pay as presently provided by law.

A person is not accepted into the teaching profession in Louisiana until he has had 3 years of teaching experience, for that is the period required by law before a permanent teaching certificate is granted and tenure is attained in a school system. It seems illogical that teachers, at the end of the same 3-year period, immediately become eligible to leave the classroom through a sabbatical leave. Many do not know, so early in their career, if they wish to make teaching a lifetime pursuit.

Only 1 other state law allows sabbatical leave with as few as 3 years of service. The most frequent requirement of state law on this subject specifies 7 years of prior service, and one state requires 10 years.

4. **Persons on sabbatical leave should be prohibited from engaging in full-time employment for pay during such leave.** If employment is allowed, it should be related to the purpose of the sabbatical leave, unless waived for good reason.

If sabbatical leave is to profit an individual, those on leave should devote their full energies to the purpose of the leave. The main reason persons are paid while on sabbatical leave is to enable them to study, free from other tasks.

School boards now have authority to cancel sabbaticals if employment or other activities interfere, but this is an after-the-fact remedy.

5. **Sabbatical leave for rest and recuperation should be eliminated.** In Louisiana only 51% of those granted leave for rest and recuperation returned to service in their local system during the past 5 years, suggesting that some may regard this as a convenient way to retire earlier than the law allows.

Forty percent of sabbaticals granted in Louisiana were for rest and recuperation. Only 3 other states specify in their laws that sabbaticals may be used for health reasons.

6. **To replace the use of sabbaticals for rest and recuperation, the state and local school boards should jointly sponsor a group plan of disability insurance for teachers who have illnesses extending beyond their accumulated sick leave.** Disability insurance coverage should begin at the termination of accumulated sick leave, and both teachers and employers should contribute to such insurance cost.

7. **Those requesting sabbatical leave for professional or cultural development should be required to submit a detailed plan of activity relating to their job, and to pursue such plan if leave is granted.**

All plans should have prior approval of the employing superintendent, including leaves requested for college study, independent study, research, authorship, investigation and/or travel.

Present Louisiana law only requires that an applicant include in the request "the precise manner, insofar as possible, in which such leave, if granted, will be spent." There is no assurance that the purpose of the leave is related to the applicant's job.

8. **Requirements for semester hours of college work while on sabbatical leave for professional or cultural development should be increased to insure that such persons are full-time students.**

The number of undergraduate hours required to be earned or taken on sabbatical leave should be increased from 10 to 12 hours a semester, and the number of graduate semester hours should be increased from 6 to 9. However, teachers should be eligible for sabbatical leave if they attend a graduate school which certifies that they are fulltime students, regardless of the number of semester hours taken or earned.

9. **The Board of Regents should formulate minimum standards for sabbatical leave at the state's public colleges and universities.**

Institutions of higher education should have flexibility in the granting of sabbatical leaves to meet their particular needs. However, there should be uniformity in the years of prior service required to be eligible—not less than 6 years, and sabbatical leave should not be granted for rest and recuperation. There should be a legal, not just a moral, obligation to return for 1 year of service at the termination of sabbatical leave. Faculty members granted sabbatical leaves should be required to sign a contract to return to service or refund their pay, and if they fail to honor their agreement, they should be charged the cost of enforcement.